

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14265 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- SIWAIPATTI District- Muzaffarpur

UPENDRA MAHTO aged about 30 years, Male, Son of Janaki Mahto R/o
Village- Siwaipatti, P.S- Siwaipatti, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh
For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 08-03-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Siwaipatti P.S. Case No. 6 of 2019 registered under Sections 272, 273 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act, 2016 pending in the court of learned Special Judge, Excise Act, Muzaffarpur.

Learned counsel for the petitioner submits that no recovery has taken place in the manner it has been alleged in the prosecution report. It is submitted that the petitioner is involved in doing a job of social service in his village having clean antecedent and he is supporter of a political party because of which his contesting parties have got him falsely implicated in this case.

Learned A.P.P. for the State has opposed the prayer for



anticipatory bail of the petitioner. It is submitted that the petitioner has got a criminal antecedent as stated in paragraph 3 of the application. His involvement in similar nature of case shows that he does not deserve anticipatory bail.

Considering the facts and circumstances of the case wherein it appears from paragraph 3 of the application that the petitioner is involved in one case being Siwaipatti P.S. Case No. 17/2018 in which a similar nature of allegations are there against this petitioner, this court is not inclined to grant anticipatory bail to the him.

Accordingly, prayer for anticipatory bail of the petitioner is refused.

In case, petitioner surrenders and prays for regular bail in the court below within a period of six weeks from today, his prayer shall be considered by the court below independently and on the basis of the materials available on the record.

(Rajeev Ranjan Prasad, J)

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